BROWNRUDNICK

DAVID J. MOLTON
ATTORNEY AT LAW

direct dial: 212.209.4822
dmolton@brownrudnick.com

Seven
Times
Square
New York
New York
10036
tel 212.209.4800
fax 212.209.4801

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CHAMBERS OF
THEODORE H. KATZ
US MAGISTRATE JUDGE

October 2, 2009

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BY HAND

The Honorable Theodore H. Katz
United States Magistrate Judge
United States District Court for the
Southern District of New York
500 Pearl Street
New York, NY 10007

RE: *Anwar v. Fairfield Greenwich Group*, Master File No. 09 CV ~~0018~~ 0118
Fairfield Sentry Limited v. Fairfield Greenwich Group, No. 09 CV 5650

Dear Judge Katz:

Anwar et al v. Fairfield Greenwich Limited et al — Doc. 279

This firm represents Kenneth M. Krys, of Krys & Associates Cayman Ltd. and Christopher D. Stride, of Krys & Associates (BVI) Ltd., as British Virgin Islands court-appointed liquidators (the "Liquidators") of and for Fairfield Sentry Limited ("Fairfield Sentry"), plaintiff in the above-captioned action, as consolidated under the main *Anwar* docket (the "Action"). I write to request that the Court direct the amendment of the Action's caption to reflect that the Liquidators are appearing in the Action on behalf of Fairfield Sentry, and permit the substitution of this firm for Seward & Kissel LLP, current counsel of record for Fairfield Sentry in the Action. I have shared this letter in advance with counsel of record for both Fairfield Sentry and the defendants in the action, and, with the exception of counsel for defendant Andres Piedrahita (who takes the position that his client has not been served in the Action and otherwise takes no position as to this letter), said counsel have indicated that they have no objection to the proposed relief.[1]

By order dated July 21, 2009 (annexed hereto as Exhibit A), the High Court of the British Virgin Islands ordered that Fairfield Sentry be wound up in accordance with the provisions of the British Virgin Islands Insolvency Act of 2003, and appointed the Liquidators. To reflect that Fairfield Sentry is in liquidation, and that the Liquidators are entering an appearance on Fairfield Sentry's behalf, we respectfully request that the caption for the Action be amended. A proposed

[1] The relief sought herein was originally the subject of a pre-motion conference request made to the Honorable Victor Marrero, who, by letter endorsement dated September 22, 2009, directed that the Liquidators address the application to Your Honor. In light of the absence of objection to the relief sought herein, the Liquidators believe that the requested substitution and caption amendment can be made without the need for motion practice.

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amended caption is annexed hereto as Exhibit B. Likewise, and in connection with the Liquidators' appearance, we respectfully request that Brown Rudnick LLP be substituted for Seward & Kissel LLP as counsel of record for plaintiff in the Action.

Thank you for your consideration. We await the Court's direction.

Respectfully,

BROWN RUDNICK LLP

By:
David J. Molton
Martin S. Siegel

Seven Times Square
New York, New York 10036
dmolton@brownrudnick.com
msiegel@brownrudnick.com

Attorneys for Fairfield Sentry Limited (in Liquidation), by its Liquidators, Kenneth M. Krys and Christopher D. Stride

cc: All Counsel (by e-mail)
encls.

The caption for action 09 Civ. 5650 shall be amended to reflect the appearance of Fairfield Sentry Ltd. by its liquidators, as reflected in the attachment to this letter.

The request to have Brown Rudnick LLP substituted for Seward & Kissel LLP as counsel for Fairfield Sentry Ltd. in liquidation is granted.

So ordered.

10/14/09 Theodore H. Katz
USMJ.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANWAR, *et al.*, Plaintiffs, vs. FAIRFIELD GREENWICH LIMITED, *et al.*, Defendants.	:	MASTER FILE 09 Civ. 0118 (VM)(THK)
FAIRFIELD SENTRY LIMITED (*In Liquidation*), *by its Liquidators, Kenneth M. Krys and Christopher D. Stride,* Plaintiff, vs. FAIRFIELD GREENWICH LIMITED, *et al.*, Defendants.	:	09 Civ. 5650 (VM)(THK)